

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

PUBLIC HEARING
AND REQUEST FOR PUBLIC COMMENT
LOUISIANA LAND ACQUISITION, LLC
BROOKLAWN DISPOSAL FACILITY
EAST BATON ROUGE PARISH, LOUISIANA

Agency Interest (AI) No. 51761
PER20060001

The public hearing in the above titled matter was taken at the Louisiana Department of Environmental Quality, Galvez Building, Natchez Room, 602 North Street, Baton Rouge, Louisiana, beginning at 6:08 p.m. on August 5, 2008.

BEFORE: Mark LaCour, Certified Stenomask
Reporter in and for the State of Louisiana

H E A R I N G

MR. SMITH:

Good evening. Let the record reflect that the time is now 6:08 p.m. My name is O.C. Smith, III. I'm employed with the Louisiana Department of Environmental Quality. I will be serving as the hearing officer this evening, Tuesday, August 5th 2008. This hearing is scheduled to accept public comments concerning the Technically Complete Solid Waste Permit Application and Environmental Assessment Statement to Louisiana Land Acquisitions, LLC, Brooklawn Disposal Facility, Agency Interest Number 51761, Agency Tracking Number PER20060001. The site is located on the north side of Brooklawn Drive approximately two miles west of Scenic Highway, US Highway 61, in Baton Rouge, Louisiana, East Baton Rouge Parish. The site is adjacent to Exide Technologies and Great Lakes Carbon.

Louisiana Lands Acquisitions, LLC requested to obtain a permit for a type

one landfill allowing for the disposal of industrial solid waste. The Environmental Assessment Statement submitted by the applicant addresses avoidance of potential and real environmental effects balancing the social and economic benefits against environmental impact costs and

alternative sites, projects and mitigative measures.

This hearing is not being conducted in a question and answer format. Please remember that the purpose of this public hearing is for DEQ to receive your comments concerning the technically complete Solid Waste Permit Application and the Associated Environmental Assessment Statement. This hearing is to provide all individuals a chance to be heard regardless of their position on the Technically Complete Solid Waste Permit Application and the Associated Environmental Assessment Statement.

Courtesy behavior is expected from

everyone at all times. You may speak in support of the permitting actions, in opposition to the permitting actions, or simply to provide additional information. All interested parties will be given a reasonable opportunity to comment, unless testimony is not related to the purpose of the hearing. All comments heard and transcribed during this hearing, and all written comments received during the comment period will be evaluated and addressed in the Department's written response.

A public notice advertising this public hearing and request for public comment was published in The Advocate, Baton Rouge, Louisiana, July 14, 2008.

Could I get a hand from the people in the back, can you hear me? Everybody okay back there? All right. Sorry, there was a little technical difficulty. I wanted to see if we got it ironed out.

A copy of the Technically Complete Solid Waste Permit Application and the Associated Environmental Assessment

Statement are available for inspection and review at the LDEQ Public Records Center, Room 127, 602 North Fifth Street, Baton Rouge, Louisiana. Viewing hours are from eight a.m. to 4:30 p.m., Monday through Friday, except holidays. The available information can also be accessed electronically on the electronic document management system, EDMS or on the DEQ public website at www.deq.louisiana.gov. Additional copies are available for review at the East Baton Rouge Parish Public Library Scotlandville Branch, 7373 Scenic Highway, Baton Rouge, Louisiana and City of Baton Rouge, East Baton Rouge Parish Mayor's Office, 222 St. Louis Street, Third Floor, Baton Rouge, Louisiana. In addition, copies of the public notice

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were mailed to individuals who had requested to be placed on the mailing list maintained by the Office of Environmental Services on July 11th 2008.

In accordance with the Louisiana Administrative Code Title 33, Part

Seven, Three, Section 509.F.7 comments received by 12:30 p.m., Monday, September 8th 2008 will be considered prior to a final decision. All comments received by 12:30 p.m., Monday, September 8th 2008 shall be retained by the Department and considered in determining whether to issue or deny the permit. Written comments on this Technically Complete Solid Waste Permit Application and Associated Environmental Assessment Statement may be submitted to Ms. Soumaya Ghosn, LDEQ-OES, Permits Services Support Division, P.O. Box 4313, Baton Rouge, Louisiana, 70821-4313.

Under Louisiana Revised Statutes Title 30, Section 2017 as revised by the legislature in the 2004 session the Department is required to follow the following order with the provision that the presiding officer may give preference to a public official to speak at anytime during the hearing. However, any time that's set of citizen testimony

shall apply to public officials. The Department must provide up to 30 minutes to the permit applicant for an introductory presentation. Thereafter, preference for speaking up to one hour is given as follows: for the first hour, to those citizens who live within a two mile radius of the location facility. For the second hour, to those citizens who work within a two-mile radius of the location of the facility. And for the third hour, for those citizens who live within the parish of the location of the facility. Thereafter, each hour of the hearing shall alternate between those who are in support of the Technically Complete Solid Waste Permit and the Associated Environmental Assessment Statement and those who are opposed to the permits. The order of tonight's hearing will be based on the information provided on the speaker -- by the speaker on the registration form. Anyone who registered to speak but did not provide the necessary information

will be given the opportunity to speak, however, they will be called last in the order of registration.

This hearing is being transcribed,
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5 therefore, I will ask that each speaker
6 began by stating for the record, their
7 name, address, and any organization he
8 or she may represent. I would like to
9 remind you to please turn all cell
10 phones or pagers to a silent mode unless
11 you're coming forward to speak in which
12 case I would ask that you turn them off.
13 Thank you.

14 At this time I would like to ask
15 the permit applicant's representatives
16 to come forward and make their
17 introductory presentation. Thank you.

18 MR. MATHIS:

19 Hello. My name is Earnest Mathis,
20 2560 West Main Street, Suite 200,
21 Littleton, Colorado, 80120 representing
22 Louisiana Land Acquisitions, LLC. Good
23 evening, my name is Earnest Mathis,
24 Chief Operating Officer and Manager of
25 the Louisiana Land Acquisitions, LLC,

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1 known to many of you as LLA. First, I'd
2 like to thank the Department of
3 Environmental Quality, DEQ, for the
4 opportunity to present this evening. I
5 see we have an elected official here and
6 I would like to thank Councilman Ulysses
7 Addison and other elected officials, if
8 I've overlooked you, for being here this
9 evening. I'd like to thank the Board of
10 Commissioners of Alsen/St. Irma Lee
11 Community Needs, Inc. for their efforts
12 in serving the community. Dr. Lloyd
13 "Coach" Norwood, Ms. Sharon Batiste, Mr.
14 Jerome Horton, Mr. Donny Millican, Ms.
15 Harriet Pullan, Ms. Linda McCastle, some
16 of who are here this evening and I'd
17 like to thank all of you for being here
18 tonight.

19 On June 27th 2008 the DEQ issued a
20 letter of Technical Completeness to LLA
21 for a type one landfill. Technical
22 Completeness means that our site meets
23 all state and local requirements for the
24 disposal of type one, non-hazardous
25 waste. LLA seeks to place into it a

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1 manner protecting health, safety,
2 environment and the welfare of the
3 surrounding community. Most people
4 would say I don't want a landfill in my
5 backyard and we understand and that's
6 why we've located our site in an area
7 that is zoned heavy industrial. We are
8 not in your neighborhood. This slide
9 shows the general area around our site.
10 You can see the Mississippi River over
11 on the left. You can see the Alsen/St.
12 Irma Lee community way down here to the
13 southeast. But now let's take a closer
14 look. This slide shows that the site is
15 approximately one mile from the nearest

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residence and over two miles from Alsen/St. Irma Lee. We believe the old adage, location, location, location is very important in the siting of our landfill. In fact, on the other side of Highway 61 from Alsen are industrial companies that employ people in the area. These industries as well as Baton Rouge will benefit by having a type one waste facility much closer to the

companies. A couple of benefits that are noteworthy are decreases in heavy waste truck traffic through Baton Rouge and saving on diesel fuel to much shorter hauling distances. But these industries are not the only beneficiary. Several -- excuse me, several years ago when we started on this project we made assurances to be a good corporate neighbor and we've lived up to those promises. Here's what we've done so far without any guarantee of any type of contract with you, DEQ or the state. So far we have contributed more than 165,000 dollars to the community for after school tutorial programs, summer enrichment programs, back to school supplies, senior citizen events, July 4th celebrations and the annual Alsen/St. Irma Lee Christmas party. Our commitment doesn't stop there, it just begins. Last year LLA entered into an agreement with the Alsen/St. Irma Lee Committee Needs, Inc. a non-profit corporation that's estimated to deliver

more than two and a half million dollars over the life of the landfill. Our pledge to you comes in several stages. Stage one began shortly after the contract was signed. LLA funded the cost of an independent engineering firm selected by the community to examine and review LLA's permit application, to verify LLA's engineer's conclusions concerning the safety of the landfill as well as the environmental impact of its operations. A consulting firm of McUniic & Associates consisting of professors and environmental consultants from Southern University who live in the area examined LLA's permit application. They presented their conclusions in two separate community meetings attended by over 200 people from the community. They concluded any environmental impact was negligible and posed no threat to the public safety, welfare, or the environment of this community.

Stage two begins after the permit is issued. LLA agrees to provide 50,000

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dollars per year to an after school tutorial program. LLA agrees to provide 18,000 dollar per year to a summer enrichment program for the children of the community.

Stage three begins 90 days after the permit is issued. LLA agrees to contribute 125,000 dollars to the organization for a multi purpose center.

Stage four begins once LLA opens for business. LLA agrees to pay the community needs organization fifty cents per ton for each ton of waste received at the facility. We estimate that this could be as much as 1,350,000 dollars over the life of the facility. LLA agrees to contribute 60,000 dollars annually to the Alsen/St. Irma Lee Senior Citizens Food Program.

This summarizes the highlights of the contract between LLA and the Alsen/St. Irma Lee community. Now, I'd like to show you a short video presentation of some of the programs LLA has sponsored and a few comments from

some of your friends and neighbors.

(THE VIDEO WAS SHOWN)

MR. MATHIS:

I think you will agree Louisiana Land Acquisitions not only has lived up to its promises but has surpassed them. We have been and will continue to be a good neighbor to the Alsen/St. Irma Lee community. We will always work toward promoting a healthy environment, the welfare and safety of the residence and the improvement of everyone's lifestyle. Eventually I hope other companies can use our example for our dream with the community as we have done. I know how important this is to you and we appreciate your support. Thank you for coming this evening.

MR. SEAGO:

Mr. Hearing Office, John Seago, I'm the attorney for the applicant. At this time I would like to offer, introduce and file into the record, Mr. Smith, the Power Point and video of the presentation just made by LLA.

MS. SMITH:

We will accept that exhibit as Exhibit One.

MR. SEAGO:

Exhibit LLA Number One. Exhibit Number Two, Mr. Hearing Officer, will be the entire Technically Complete application filed by Louisiana Land in this matter and we'd like to adopt it by record, document number, and offer it into this record.

MR. SMITH:

We'll accept that by reference as
LLA 3.

MS. SEAGO:

And that concludes our
presentation.

MR. SMITH:

I will now begin by allowing the
elected officials to come first.

MR. HOLDEN:

Thank you, Mr. Hearing Officer and
members of the committee. I have been
dealing with -- I'm sorry, Melvin L.
"Kip" Holden, Mayor/President of Baton

Rouge and the East Baton Rouge Parish,
222 St. Louis Street, 70802.

Mr. Hearing Officer and members of
the audience, I went to elementary
school in Alsen so I'm not standing here
as an outsider. I finished school at
Alsen Elementary. I have a lot of
friends at Alsen Elementary. We worked
together a lot with the community. But
I have to just flash back for a second
because what I'm seeing tonight is
Rollins Two in regards to what happened
to that community. And if you flash
back to the hearings that were held on
Rollins I saw neighbors who had grown up
together, who stayed in the community
for years, who gardened together,
friends, went to the same church, and
relatives together at one time, but
because of Rollins Environmental
Services coming in it was like the
Hatfields and McCoys. People were
pitted against one another. And tonight
you have people who are well-intentioned
on both sides. But they're pitted

against one another by another waste
facility that wants to come and locate
in the community. We are for jobs in
the community and we are for recruiting
industry to come and locate in our
community. But we made it a point to
come in and say that we would like to
recruit clean industry, clean industry.
And we make that point because simply
you deserve better. Right there next to
a church what do you have? You've got a
waste disposal place. Right across the
street on the other side of Rafe Meyer
Road you've got a waste disposal place.
By the way we're not innocent here
tonight because we have a dump down the
street too, so I'm not playing innocent
here tonight. But to allow another
facility to come in and I don't disagree
but when I hear that they've allowed
these citizens to see the technical data
of a facility of this nature when by the

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very nature of DEQ you got to virtually almost have a PhD to look at the technical data of a facility like this

and you don't even know all the structural sides of how this facility was built. What they're trying to do is take a facility that at one time was going to be the disposal place for waste that's been dormant for decades and put this back into action again. And it's at the expense of the residents. Because you're going to get the traffic again. There's nothing that's going to say they can't come down Old Rafe Meyer. There's nothing that's going to say you can't come down New Rafe Meyer. You got Scenic Highway right now that's very crowded. So what happens if there's an incident there? You have a fire department that functions, you know, basically on nickel and dimes. So what about all the health and safety concerns that have to be voiced in these situations? Yeah, they talk about well we're going to do this to help the community. But at the end of the day you started off in poverty and at the end of the day you're still going to be

in poverty. What kind of job are you getting? Is it going to be something that could impact your health? Because these lawyers can tell you in asbestos cases 20 years after you've ingested that you may see that in your system. Twenty years afterwards. It won't happen right away. Think about some of the people who worked at Rollins. Think about if we had not stopped their commercial hazardous waste incinerator. Think about Mr. Ewelle's farm up there that was virtually contaminated. They called it -- they had a state of the art operation. All I want you to do is put all of this into perspective. Yeah, you live there, but we're all impacted. A straight line from where I live in my subdivision, Crestworth, to Rollins is less than a mile and a half. Then if you go down a little further you got the same thing. All I can say is this, you have the voice. You live there. But I feel an obligation to stand here tonight and make my pitch and refresh some

memories about the roads we have been down before. I stand here tonight and humbly ask that you rethink is your life worth a donation? Is it worth a donation? Is it worth that somebody says, well, okay we're going to dump all of this but we're going to make

contributions to your favorite charity. The jobs that you get won't be much. So I ask you to do some soul searching on your own. You may not agree with what I'm saying and that's okay. That's the democracy that we live and call America. But I owe it after going through that battle and seeing that community torn apart. I owe it to each and everyone of you regardless of what side you're on tonight to come back and remind you of the road we have traveled and let you know that you don't have to settle for less because we're bringing better jobs to Baton Rouge. We'll be making major announcements about jobs. You don't have to settle for this. We will give you personal attention. We haven't done

everything we should do in the city parish but I recommit myself to you tonight that we'll do better. But if not for this generation Alsen is going to be a ghost town and there won't be nobody there because try to sell your house right now in Alsen. You can't sell it. All you've done right now is made it worse. Not you, but permitting this facility is going to make it worse.

So I thank you, Mr. Hearing officer. I know I'm long-winded. That's the Baptist preacher in me. But I thank you for your time and thank all of you and ask you to please think about it individually and collectively and pray on it and then step out and try to make a difference because you're not in this fight by yourself. Thank you and God bless you.

MR. SMITH:

Thank you. I will now begin by allowing any person who signed up to speak five minutes in which to present their comments. Anyone that needs more

than five minutes will be allowed to finish his or her comments after all the registered speakers have had the opportunity to speak.

The first to speak will be those citizens who live within a two mile radius of the location of the facility. Our first registered speaker is Ms. Sharon Batiste. You can begin by giving your name and address for the record, please.

MS. BATISTE:

I am Sharon Batiste. I reside at 452 Old Rafe Meyer Road, Baton Rouge, 70807. I have been a resident in the Alsen community for 42 plus years. I'm sure somebody -- I will not be the only one to speak. I strongly support LLA

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for the Alsen community. I know as I listened out here of other oppositions, not ever in the lifetime of Alsen being surrounded by some 16 plus industrial facilities not one has ever come before this community and has put into our community what we have been offered,

signed, and agreed with by LLA. Yes, it is a fact. I am not a biologist, a scientist, but I am intelligent enough to read and to understand. This has not been a one year proposition. This has been for three months. Again, sure I have five grandchildren and I have three children who has been raised in the Alsen community. We have problems now no one has ever addressed. No one has ever came to the community to say let us work with you. Let us do this or let us do that. So I know that tonight we'll be hearing much opposition. No, you don't know. Like the man said, you don't hear of that. If you lived there you would have a better understanding and only you would have to give it. We can be here all night, all year, but until you come to the community, you live in the community then we can say what it's not. I do know, yes, there are facilities and they have been most, most nothing but injustice to the community. Yes, we need to boost the

economy. We need jobs. We need better livelihoods. We need home improvements. We need education for our children and no we have not been able to get it with the presence of LLA. I think I'm sure it will attract other communities -- other facilities in the community to help us more. Sure, no, we cannot sell our homes. But if we are there and if we put some of these funds to use from all facilities then I feel like this can make a difference. There are organizations always coming in standing up. You never come to Alsen unless it's confusion. Help us and work with us. Thank you.

MR. SMITH:

The next speaker is Mr. Alvin A. Roddy, Sr. and the speaker who is going to follow him is Mr. Walter Wright. Mr. Wright, if you would come forward and be prepared to go we can try to cut out our lead time with the speakers.

MR. RODDY:

Good afternoon. My name is Alvin

A. Roddy, Sr. I am a resident of Alsen community, 590 Rafe Meyer Road, Baton Rouge, Louisiana. I am approximately 40

years old and I have been raised in Alsen for 40 years. I just want to say good afternoon everyone. Yes, the mayor did come in and he did speak on a subject which I wanted to touch on which was Rollins. I am in industrial transportation. That's what I do for a living. That's how I make my living. That's how I take care of my family. There is means and measures of safe transportation. Things do happen. We just had a barge collapse, a crooked barge down in New Orleans a week or so ago. That was something that happened in that particular industry due to some situation or accident. But my children do live in this community. I live in this community and I was brought up in this community. I know several other faces out here. Some of the people have actually spanked me from time to time when I wasn't a very good boy. But that

makes us a better person. We have always been a tightknit community regardless of what other people outside of Alsen and outside of St. Irma Lee think. I am in support of this because as in fact he said, no one has ever presented anything for us or our kids before to help us to bring our kids more. Our kids are the generation. Okay, you know, I love our mayor. I probably voted for him I think. But anyway he does bring forth a very viable point. But at the same time does that help the community for the price of gas -- if I was able to get a job there it would be very beneficial to me because I wouldn't have but two miles to drive as opposed to driving to the west side or the south side of Baton Rouge where, you know, gas prices are hurting everybody. But being in hazardous waste, and this is not hazardous waste, this is just solid waste they're presenting, this is going to be very beneficial to the plants in the surrounding areas, I mean

which we already have plants around us. I mean -- I mean some people work there. Not many people but some people work there. But we were presented with an opportunity by these people, Mr. Mathis, they came in. My kids went to summer camp last year, this year. Some of you know my kids, some of you don't know my kids. But my kids know their self because of these programs. They were able to go to Angola as you heard my son say. They went to a museum. These are places I couldn't otherwise take them because I'm working, my wife is working.

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I mean, you know, this summer program is -- was a help to kind of enrich their selves and help them develop who they are. Give them different opportunities to see different things. I wish coming up that I would have had these same opportunities from some of these people that were in before, these other plants that we had, they didn't never come and say, look, we're going to take you to the museum and let you see there's

different cultures, different places, different -- you know, they didn't say that. All I learned about basically was in school. When I got older I traveled and seen other things and stuff like that. I basically want to say that I wholeheartedly support this because I do transport waste. We're always going to have waste. It's got to go somewhere. If somebody is willing to help you in your community and do it safely and let you look at the permits and this and that, you know, let you voice your opinion on it, you know, that's a great thing. I just -- I just -- you know, I praise myself. I thank God for the opportunity. And with that I'm going to save the night and let the next people come up and say what they want.

MR. SMITH:

Our next speaker is Walter Wright and following Mr. Wright is Carrol Wayne Williams if you would come forward and be on base for us.

MR. WRIGHT:

Good afternoon. My name is Walter Wright and I reside at 278 Old Rafe Meyer Road and I've been in the Alsen community approximately 55 years plus. I grew up there and I've watched industry come and go. What I mean by that some of the same facilities that Exxon and their (inaudible) are running now, they come at first. Grant, Foster Grant Chemical Plant at first. And these facilities came to Alsen and they dumped on us. They're still dumping on us and never offered anything the whole time I've been there. They never offered anything, but they have polluted. They haven't met with the community. They never offered anything. They always told what they wanted to do. I fought industry for the last past 20 something years, and what we did accomplish at Rollins after Rollins had already done their dirt was to close up the incinerator. We accomplished that but we didn't shut them down because they're still maintaining hazardous

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1 waste. They've been dealing hazardous
2 waste and they're applying for a
3 hazardous waste permit now. Rollins and
4 the rest of them have never done
5 anything for this community. As it's
6 already been said this is the only
7 facility that came to our community that
8 wants to do anything for the community
9 and I'm in support of it. I don't care
10 what nobody else says. I heard what the
11 mayor said. The mayor has worked with
12 us in the past side by side and he's
13 supported us. But this I'm with. I've
14 got children, grandchildren. My
15 children are grown. I've got
16 grandchildren growing up there now.
17 I've got bad health myself. I would not
18 support anything that I thought was a
19 danger to me or my grandkids growing up.
20 I support this facility 100 percent.

21 MR. SMITH:
22 Carol Williams, and after Mr.
23 Williams is Latisha Ware.
24 MR. WILLIAMS:
25 My name is Carol Wayne Williams.

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1 I'm from the Alsen community at 13644
2 (inaudible). My age is 47 and I support
3 this permit.

4 MR. SMITH:
5 Latisha Ware? Latisha Ware? Last
6 call, Latisha Ware? She passes. James
7 P. Jarvis, Sr. After Mr. Jarvis will be
8 W.C. Dawson, if you would come forward
9 and be prepared to go.

10 MR. JARVIS:
11 Good afternoon, everybody. God
12 bless you all. I live at 440
13 Springfield Road, Baton Rouge,
14 Louisiana. I live about three blocks
15 from the site or less.

16 MR. SMITH:
17 We need your name for the record.

18 MR. JARVIS:
19 James P. Jarvis, Sr., 440
20 Springfield. I've been there about 37
21 years. I've watched people come and go
22 there. (Inaudible). I've seen a lot of
23 people come in that same street I live
24 on and about -- I imagine about six
25 people have died of cancer on that

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1 street and particularly my parents. I
2 don't support it at all. We got enough
3 trash around there -- enough trash
4 around there right now. All of it has
5 been there for quite some time. I'm
6 with the mayor on this. The last time I
7 tried to speak when the last company had
8 a meeting I was cut short. They didn't
9 want to hear what I had to say. The
10 time just ran out I guess. Now I've got

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the opportunity to speak and I'm going to speak. I'm not for it. I've got two ponds back there and I stock them. I've seen the waste. I've had people to come out and take samples. Rollins is right next door to us. Mr. Brent, Mr. Long, these people been there right on that street and these two people with (inaudible). On that street who can address at all (inaudible) six houses on the street anyway, but that's where St. Irma Lee and Alsen and said nothing about Springfield Road. I guess they don't count. Springfield Road do count. I'm saying a lot of good friends of mine

have died from cancer on this street. I don't know where it came from. You're right, it don't strike black or white. You're going to chose to (inaudible). Then it ain't going to taste any better. This will be (inaudible). They're saying they're going to do this and that. After it all boils down you ain't going to hear from them after they get what they want. We better wake up and smell the coffee. Some of it's just going to pay bills or two dollars may not be going for nothing at all. But they're blind and they can't see. Whatever they're going for it's not right. It's not for the right purpose. I'm not supporting it at all. I'm going to be back there. I ain't going nowhere. Ain't nobody going to come in there and run me off. I don't care if (inaudible). The people that are cheerleading this are talking about their children going to Angola and this, that and the other. It's going to last for a few days. Rollins when they came

in they didn't fight it like they're fighting to keep Rollins out. They didn't even fight, but now all of a sudden they see all kinds of revenue where they can benefit from it or their children can benefit from it. It's not all going to hit tomorrow or the next day. Like he said, 20 years from now when you got cancer then you're going to think about what it could be from. Y'all have a nice day. But I'm going to keep on cheerleading. I'm cheerleading for the parish.

MR. SMITH:

Our next speaker is W.C. Dawson. He waives. Next speaker is Audrey Jackson Barnum. She waives. Juanita R. Stewart. After Ms. Stewart is Howard Horton. You can come forward and be prepared to go.

MS. STEWART:

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I'm Juanita Stewart. I live at 490 Old Rafe Meyer Road. I live within two miles from the location. We fought the (inaudible) in the year 2002 under a

new name. The name was called Louisiana Land System, Inc. and then -- and we won. DEQ denied their permit because they say the lining of that facility was no good and needed to be replaced. There was no use for a new facility in our community. Yet in the year 2007 they came back under a new name calling it the Louisiana Land Acquisition, basically the same shareholder of this facility. They came back as wolves in sheep clothing. The shareholders of this company gave our present governor 50,000 dollars for his campaign. While this company will be making millions of dollars the community of Alsen and St. Irma Lee will be getting crumbs. I questioned the order if they did not make a quota this month for the Alsen and St. Irma Lee get what they say they're going to get for that money. The answer was no. There are two super fund sites near this. Those two super fund sites of materials holding (inaudible) in that vault. That vault

is plus 18 years old. All around that surrounding it's contaminated. Devil Swamp Lake, it's contaminated. We used to fish, hunt and swim there and we can't do that. Even wildlife in that area is contaminated. In other words where this company is being -- is operating is contamination on top of contamination. What is the future for the next generation? That's what I'm concerned about. It may be too late for me. But what about these children? Will they be included in the Alsen and St. Irma Lee? I say -- I quote that really seriously. I question the researchers who did research that they said they did some research on Devil Swamp Lake, but they did not do extensive study to find out the problem that we have there. There's some other citizens who are not here but who sent in written letters against this. I still say no to this facility. It's not going to benefit us at all and I'm tired of the injustice that's being done to my

community.

MR. SMITH:

After Mr. Horton we have Peter Carmichael, if you'd come forward and be ready to go please.

MR. HORTON:

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7 My name is Harold Horton. I live
8 at 943 Rafe Myer Road. I support the
9 LLA.

10 MR. CARMICHAEL:

11 My name is Peter Carmichael. I
12 live outside of the two miles, but I
13 live in the parish. I wanted to come up
14 and comment because we all have problems
15 in the society we live in. Hazardous
16 waste occurs. Industrial waste occurs.
17 Garbage occurs. Trash occurs. It's got
18 to go somewhere. We've got to deal with
19 it as a community. Unfortunately Alsen
20 is in an area that has a lot of
21 industry, a lot of environmental
22 problems that have been created in the
23 past. The DEQ is responsible for
24 regulating the community's environment
25 and is doing the best that it can and is

0038
1 doing a good job in this current
2 administration -- in these times.
3 Rollins is not Louisiana Land, okay?
4 You can't put on these people who have
5 done an admirable job to support the
6 community as well as to do the science
7 and to use the technology now available
8 to make what they're going to do safe.
9 They've asked the community to get their
10 own experts to analyze the situation.
11 The mayor is right. I couldn't read the
12 assessment and understand it. But they
13 hired people -- the community hired
14 people who are knowledgeable and who did
15 look at it and who did pass it with
16 flying colors. So I saw what happened
17 to the community with Rollins and I'm
18 sorry what happened to the community
19 with other people. But you've got to
20 start somewhere. The waste has got to
21 go somewhere. At least we have some
22 capable, knowledgeable, and caring
23 people at LLA to deal with this
24 situation and that's why I'm for it.
25 Thank you.

0039
1 MR. SMITH:

2 The next speaker is Raye Seago.
3 Following Ray Seago is James Seago, if
4 you would come forward and be prepared
5 to go.

6 MS. SEAGO:

7 My name is Raye Seago. I live at
8 5858 Groom Drive, Baton Rouge,
9 Louisiana, 70808. I support LLA in its
10 request for a permit. I believe the
11 contributions that they have made will
12 benefit the education of the children in
13 the community.

14 MR. SMITH:

15 James Seago. After Mr. Seago our
16 next registered speaker is L. George.

17 MR. SEAGO:

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James Sego, 5858 Groom Drive,
Baton Rouge, Louisiana, 70808. I also
support the Louisiana Land Acquisition
because also they are going to educate
-- help educate the kids of the great
community of Alsen. Thank you.

MR. SMITH:

I think I said the wrong name. Is

it Eula George on Woodpecker Street?
Eula George? Eula George. She waives.

At this time we will call upon
citizens who are in support of the
permit and the Associated Environmental
Assessment Statement followed by those
who are opposed to the permit. Tracy
Knighten. After Ms. Knighten, James A.
-- I'm sorry, scratch that one.

(AUDIENCE):

What was that statement you said
before you called those names?

MR. SMITH:

We're calling people who have
indicated they have support of the
permit. I'll re-read the statement. At
this time we're calling those citizens
who are in support of the permit and
Associated Environmental Assessment
Statement followed by those citizens who
are opposed to the permit. We're basing
that on what was put on the speaker's
information form. That's how we figure
who goes when.

MS. KNIGHTEN:

My name is Tracy V. Knighten. I
live at 4528 Old Rafe Meyer Road and I
am in support of LLA. It has enhanced
our community with our children. No
other industry has come in and citizens
we shouldn't be complacent. There's a
bigger picture. Thank you.

MR. SMITH:

Our next speaker is Angela Davis
Ellis. She waives. Our next speaker is
Mary Louise Batiste. She waives. Our
next speaker is Laura Allen. I see a
hand waving. She waives? She waives.
Our next speaker is Mia C. Stanley. Mia
C. Stanley waives. Walter Jackson, Jr.
The speaker after Mr. Jackson is
Albertha Hastings, if she would be
prepared to go.

MR. JACKSON:

I'm Walter Jackson. I'm on the
long way out. I've been in this
community for 62 years. If it's going
to help out kids somehow I'm for it.

MR. SMITH:

Albertha Hastings. After Ms.

Hastings I have Mary Lee Orr.

MS. HASTINGS:

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3 My name is Albertha Hastings.
4 Good evening. I'm affiliated with the
5 Louisiana Environmental Justice
6 Community Organization. Alsen
7 Environmental Justice Community
8 Organization and its leadership Sharon
9 Batiste is in our coalition member. I
10 came by tonight to say I'm proud of the
11 community organization. We are -- our
12 main goal is to set up tables with
13 industry and business, school, home and
14 community. When Alsen community first
15 came to Louisiana Environmental Justice
16 it was bad communication and we've
17 grown. We learned to listen,
18 communicate and most of all trust each
19 other. The trust came out to finding
20 funds for your community. When I heard
21 about Don I was surprised and I came to
22 visit him. They had a meeting in the
23 community of Baton Rouge. And I was
24 impressed. I've been out here a long
25 time and it's showing on me. I could

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1 not believe that industry was not afraid
2 to come sit at the table with community
3 because there is a fear when industry
4 and community meet. And when I heard
5 what he said the first thing I hollered,
6 he won't do that. He lying. But he --
7 you know, he challenged me. I see that
8 he did. He took a community and I know
9 you got knocks and bruises, and he
10 didn't care. He was there with it and
11 he worked with us, our statewide
12 organization and summertime workshops.
13 We have a -- we aim with the water, air
14 and soil. And he was one of the
15 industries that stood up and said I'm
16 going to work with the community. He
17 was the one that came to the
18 environmental school that we supported.
19 He was one that came to the trainings
20 and the workshops that we had and the
21 gathering of officials in New Orleans
22 for Tulane University. They was there.
23 I must say we have a beginning, a
24 dialogue. I'm just here to say tonight
25 that we support the Alsen community and

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1 the efforts. Thank you. Everybody gets
2 the roll on.

3 MR. SMITH:

4 Next is Mary Lee Orr. Mary Lee
5 Orr doesn't answer. Our next speaker is
6 Dr. Lloyd C. Norwood.

7 DR. NORWOOD:

8 Good evening. Mr. Hearing
9 Officer, I would like to go back to what
10 the mayor said here.

11 MR. SMITH:

12 If you could begin with giving us
13 your name and address for the record

please.

DR. NORWOOD:

Roy C. Norwood, 424 Rafe Meyer Road, Baton Rouge, Louisiana, 70807. Mr. Hearing Officer, I've been with this particular firm and met with these gentlemen about a year and a half. There are so many things that passed through us. This is such an important project and I've been working diligently with the community. I've been in the community now 72 years. I really wanted

the community for once in a lifetime to do something together as a community, because they've gone through so many difficult times, Alsen and St. Irma Lee, particularly Alsen. We can talk about industry and what industry has done in our community. As you go back to say something about Rollins and just like telling you Rollins is still existing. There are some things that transpired during that time at Rollins with this particularly gentleman that has changed some attitudes. You go back and we talk about -- the chemicals and they never heard of energy in chemical decay. The contents that surrounds -- I know one particular company that's near this particular vault that brought in students from LSU that used enzymes and parasites to assist in doing the work. There are certain times that citizens and community people and residents and friends of Alsen, things have changed over a period of time. You can get chemicals to assist in the cleaning of

decaying of other chemicals. You know, we are three scores and ten. Three scores and ten. We have (inaudible) where we celebrated with citizens of Alsen. They have to be 65. So God has been good to us and God has allowed us to live our lives. I'm asking because of the children and because of the seniors in Alsen and because we've never worked together as a community that we would get the benefit of things that's good for us and should at least be for the children. At least once I would like to see the citizens of my community give this thing a chance. Let's work together and see what I'm talking about because I know our citizens will benefit from it. I know the seniors of Alsen have already benefitted from it. I've got a neighbor that's a hundred years old stays right side of me. One hundred years old. So we're all going to go there. We're all going to leave here. But by all means let's see if we can

take the advantages that's given to us

by LLA and make the best out of it by working together, working together. Communicating together with each other and make this project work. I am in total support of it. I am in total support of it. Thank you.

MR. SMITH:

Our next speaker is Inez Cooper. She waives. James A. Wade, Sr.

MR. WADE:

Mr. Hearing Officer, my name is James A. Wade, Sr. I reside at 952 Kadell Drive, East Baton Rouge Parish, 70810. I rise a little bit different feeling in this matter, not as opponent or proponent. I met the players on both sides for seven months. Several years ago there was a major environmental upheaval in the community of Convent. Some of the persons in this room was involved in that and the community rose up and fought the Shintech in the community of Convent. At the last minute I got a call from Kevin Robbie who is the secretary for Economic

Development and said aren't you from that area? I said, yes, I am. He said, well, can you do something? I said, do what? I said, my people are in opposition to it. He got the governor on phone and they made overtures, said we'll do this for the community, we'll do this for the community. I said, it's too late. The community has already come together and there's nobody to receive your request and offer. So when I heard about this and Coach Norwood invited me to come up and visit with the community one of the things I wanted to make sure is that this was not another company coming in and hoodwinking the community. So I said if this company is going to come into this community let me help you draft a document and a corporation because I didn't want to see them coming in and giving out money to this one and money to this one without the whole community involved. Coach Norwood asked me if I would develop a non-profit corporation and gave it a

name. That was my dealing. In addition to that I said, Coach, you're going to have to tie these people down and make sure that you have a document that cannot be broken that they are committed to and hold their feet to the fire. And that was my role and to make sure there was such an instrument developed, signed and served with the Secretary of State

and a contractual obligation with this entire community. Another thing that I pitched to Coach Norwood was make sure that all of the meetings are open public meetings because you're going to fail in your efforts whether you're pro or con if the whole community do not have a say-so. In other words I didn't want people to have meetings behind closed doors. A few people come in here, a few people in there. I know a lot of people up in age with this side or what have you, but I wanted to make sure that you had a document and I volunteered my time as an attorney in the community to make sure that you were going to be true.

Now, how you go about it that's your job, that's your community, and that's my presentation. That's my role in this entire thing. Thank you.

MR. SMITH:

Next is -- excuse me, Ulysses Addison.

MR. ADDISON:

I'm Councilman Ulysses Addison. Location is 2013 Century Road, Baton Rouge, Louisiana. I represent the second district here in East Baton Rouge Parish in which the facility is located. I'll say because I've heard a lot of comments, both pros and cons about this particular application and serving as your public official we try to serve the needs of the public in general, you listen at the people to whom you're representing. To that extent you're standing with mixed emotions because you have been divided somewhat meeting on this issue. Those who are in favor of it made great arguments with the fact that they can provide services to their

children. That it's going to provide opportunities for growth and development. It's going to do positive things that in some sense we as public officials have failed because if we had done our job they would not be standing here tonight (inaudible) conclusion that helps the issues of what landfills does to communities. We weigh that when we talk about a few services, trips for children, services for our seniors. There's not many individuals in this country who want landfills next to their homes. They're not. This is probably most unusual. (Inaudible) try to run around the state but it's not often that you hear the system say give me landfills. Place a million tons of garbage next to me. I won't. I mean it. I think it's sinful of those who

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are asking for it. I think the same citizens that I've served with, who I've walked the streets with, who have said repeatedly just a month and a half, two months ago we sat in this very room

where the same citizen said close down Rollins. It's a nuisance to us. Don't give 300,000 tons of debris. And you turn around and say three months later we'll accept it. You have to -- it confuses those who make those decisions. Mixed emotions that contradicts those statements. I stand here as your public official opposing this. I have to oppose it. It's not right. I was proud when the Mayor/President said we have not done our job in finding resources to meet the needs of the public of Alsen, of St. Irma Lee, of the Al Gores of Baton Rouge, when in fact if we were doing that you would not be talking about these services for your children in the context of a landfill. That should not be on the table. Let's get on the table how does it impact your lives? How many truck loads is going to be (inaudible). What's it going to take? What's the long term environmental impact? What's it going to take for that? Is there a need to

place such a facility in East Baton Rouge Parish. That should be what we discuss this afternoon. There is no question that these gentlemen that propose this are very honorable men. I think Mr. Seago is a very honorable man. Mr. Wayne, I've known him all my life. The proposal they're putting before the community I think they're genuinely sincere about it. They've already restocked their community and provided to you by youth services and tutorial programs. They have done more than any other agency that's in this parish whether environmental or otherwise. I mean I see Ms. Rosemary back there. She and Sharon Batiste approached the City Parish about it two years ago to talk about providing new services. We talked to Mr. St. Amant, our Director for Social Services. We can get that done. But these are people trying to reach out to other places to try to fill the holes and fill the gaps. Those are opportunities for someone to say I'll

give you 50 cents a ton or I'll help you provide for a new facility or I'll help you go out and provide services for your children. They have been the silver lining for this place. They've done a

lot more as I've heard the citizens say than any other agency that's been in that part of north Baton Rouge. Any other agency. That's most important that I can stand here today and say I believe in what they're saying. But the risks are just too great. The risks are too great. And the LDEQ decision this afternoon they're going to be faced with is whether this meets the environmental issues, whether this permit has a proper need and the strength to be able to provide services to our public and do it in a protected manner. We've been educated. I searched the internet just this afternoon. We talked about what Alsen is. You just Google it. Talks about the place that's has chemical plants, waste dumps, a super fund site. It talks about 80 percent of the

residences suffer from respiratory problems. It talks about an abnormal amount of cancers in the area. That's not this gentleman's problem. But this is the community's problem. It is a community problem. We're still talking about how do we make sure your lives are protected. You don't risk that. So I didn't come here just tonight to say to you that you're arguments are not going unheard. I'm going to challenge Mayor Holden to help us find the money to provide services in the Alsen community. Put it in our budget. That would be a hearing for another day, not here at this particular hearing. I'm going to challenge the DEQ agency that as much as these comments are very much warranted the residents have spoken their mind on the fact that they think they are entitled to have a such a facility. And as a public body you have to take that comment into consideration regardless of how they came to those conclusions. You have to do that. So for those who are

here in opposition we say thank you. For those who are here in favor we say thank you. Because we want you involved. As your local representative I will challenge this local government to step up to the plate. You never again have to weigh in only based on monetary gain. And that's what I've heard over the last several years, how is it going to benefit our community? A landfill shouldn't have to do that. So with that I say I oppose for the record. As local council member I am in opposition of it. But at the same time we need a lot of work done in our community. Thank y'all very much.

MR. SMITH:

At this time I think all of the registered speakers have been given an opportunity to speak. So now if there are any other comments, if anyone else would like to come forward and make comments to the record? We need you to come forward and give your name and address for the record.

MS. KNAPP:

Good evening. My name is Lisa Knapp. I live at 223 McCastle Avenue. And I am in opposition to LLA coming into the landfill. It makes you really not know what side to stand on. While I am in agreement that all of the services that they're offering is needed, but I can only put it in simple terms, how much is your life and your children's lives worth to you? And it's true we won't feel the effect of what this is going to do tomorrow, next year, two years from now, three years from now. But you can rest assured eventually there will be consequences of this. There will be consequences and they will not be good for us, our children. Our children probably won't even live long enough to benefit really from what they're trying to do. We appreciate it. It sounds good but in the end what is it really worth? What is it really worth to us? Is it worth our lives or our children's lives? You know I was

talking to a lady at work and I said, you know what? I'm glad God is God and not we. Because some people you can see (indicating) as you look at them. You know that God is the only one who sent his son. I wouldn't send my son to die so the community could have educational services. It's too important. But the bottom line, is it worth your life or your children's lives. Because of that I am in opposition. Thank you.

MR. SMITH:

Would anyone else like to come forward and make comments for the record? Did you want to make comments again?

MR. SEAGO:

I would like to if it's appropriate at this time.

MR. SMITH:

Go ahead, sure. Give us your name and address for the record and go.

MR. SEAGO:

John Seago the attorney for the applicant, Mr. Hearing Officer. Because

of the comments made about the contract

and things that Mr. Jim Wayne had referred to we would like to offer the entire agreement and the --

MR. SMITH:

Absolutely. We'll accept that as the --

MR. SEAGO:

As LLA Three.

MR. SMITH:

LLA Three.

MR. SEAGO:

(Inaudible).

MR. SMITH:

Are there any other comments?

Just give us your name, address, and any organization you're representing. Go ahead and go.

MS. BATISTE:

Sharon Batiste again, 4520 Old Rafe Meyer Road, Baton Rouge, Louisiana. I represent and I live as I said 42 plus years in the Alsen community and I think you've heard my voice before. Before we leave and most of the Alsen residents

depart I would truly like to give my whole hearted thanks to LLA who has been there for us, to the Law Offices of Seago and Carmichael and Capital Legal Services. Please don't take it at heart if I've forgotten your organization. I give all the support, NTC and all of the industry that I see here, the community that works with us so close, Eco Environmental Services, our councilman, our mayor. Again, from my heart I would love to say thank you and I also at the end of the day we are here for the benefit of our community. I respect opposition as much as those who support us. But again I pray very strongly that what has been said tonight it will be taken in the most righteous order by the permitter none other than LDEQ. I think for what I've said in the community over the years if some of those facilities all these years has been permitted I can't see why we would have this problem. Again, you must live in the community before you can tell us how bad

or how good something is. Thank you.

MR. SMITH:

Thank you. Before we go any further I want to remind everyone that if you parked in the garage you need to validate your sticker. Don't forget to do that on the way out. We have a stamp at the table.

Now, are there any other comments?

Any other comments? Any other comments?

All right. Last call. I'd like to remind you that the comment period for

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this Technically Complete Solid Waste Permit and Associated Environmental Assessment Statement for the Louisiana Land Acquisition, LLC Brooklawn Facility ends at 12:30 p.m., Monday, September 8th 2008. All comments received, requests for notification of the final decision and the transcript from the hearing are processed by the Public Participation Group and are available on EDMS. The permit -- hey, I'm not -- can y'all please hold it down. Thank you. There are some people that want to listen to

the rest of this. Thank you. Comments received -- all comments received, requests for notification of the final decision and the transcript from the hearing are processed by the Public Participation Group and are available on EDMS. The permit writer reviews all comments and uses any additional information that is appropriate to update the permitting information. The names and addresses of all the commentors, speakers and those requesting to be notified of the final decision are added to the public comment database. A final draft of the permit and the response of the public comments are prepared and forwarded to the Office of Environmental Services Assistant Secretary for final decision. Upon the issuance or denial of the permit a letter is mailed to all the commentors, speakers, and those who request to be notified of the final decision. The final decision includes the appeal process, the basis of the decision and

the response to all of the public comments received.

I have received a total of three comments during this hearing. If there are no other comments I would like to thank you for your attention and participation in this hearing. Let the record reflect that the time is now 7:39 p.m. This hearing is closed.

THE MEETING ENDED AT 7:39 P.M.

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R E P O R T E R ' S P A G E

I, Mark LaCour, Certified Court Reporter, in and for the State of Louisiana, the officer, as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434(b) of the Louisiana Code of Civil Procedure, before whom this sworn testimony was taken, do hereby state on the record:

That due to the interaction in the spontaneous discourse of this proceeding, dashes (--) have been used to indicate pauses, changes in thought, and/or talk overs; that same is the proper method for a Court Reporter's transcription of proceeding, and that the dashes (--) do not indicate that words or phrases have been left out of this transcript.

Also, any words and/or names which could not be verified through reference material have been denoted with the phrase "(inaudible)."

Mark LaCour, C.C.R.
89054

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C E R T I F I C A T I O N

I, the undersigned reporter, do hereby certify that the above and foregoing is a true and correct transcription of the stenomask tape of the proceedings had herein, taken down by me and transcribed under my supervision, to the best of my ability and understanding, at the time and place hereinbefore noted, in the above-entitled cause.

I further certify that the witness was duly sworn by me in my capacity as a Certified Court Reporter pursuant to the provisions of R.S. 37:2551 et seq. in and for the state of Louisiana; that I am not of counsel nor related to any of the counsel of any of the parties, nor in the employ of any of parties, and that I have no interest in the outcome of this action.

I further certify that my license is in good standing as a court reporter in and for the state of Louisiana.

Mark LaCour, C.C.R.

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